

Message Text

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ACTION SCS-05

INFO OCT-01 ARA-14 ISO-00 JUSE-00 DHA-02 H-02 L-03

INSE-00 SCA-01 NSC-05 /033 W

-----037206 020210Z /75

R 020141Z AUG 77

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC 3926

UNCLAS SECTION 01 OF 02 MEXICO 12753

DEPARTMENT PASS JUSTICE, BUREAU OF PRISONS

E. O. 11652: NA

TAGS: CASC, MX

SUBJECT: IMPLEMENTATION OF U.S.-MEXICO PRISON TRANSFER
TREATY

1. SUMMARY. JUSTICE AND EMBASSY REPS HAVE HELD PRODUCTIVE DISCUSSIONS WITH GOM OFFICIALS IN EFFORT TO PAVE THE WAY FOR SMOOTH TRANSFER OF PRISONERS ONCE TRANSFER TREATY IS ENFORCED. PRISONERS WILL BE INTERVIEWED AND PROCESSED OUT OF MEXICO FROM PRISONS IN MEXICO AND MEXICO CITY. AIDE MEMOIRE OF UNDERSTANDING OF U.S. REPS WILL BE LEFT WITH THE GOM TO ASCERTAIN THAT NO MISUNDERSTANDINGS HAVE OCCURRED. END SUMMARY

2. REPRESENTATIVES OF JUSTICE ABBELL, BUREAU OF PRISONS, CORTES, ACTING CONSUL GENERAL MCLENDON, AND EMBASSY LEGAL ADVISER GAITHER, HELD MEETINGS WITH THE ATTORNEY GENERAL AND DIRECTOR OF PREVENCIÓN SOCIAL. FOLLOW-UP MEETINGS WERE HELD WITH ATTORNEY GENERAL'S PRINCIPAL AIDE AND WITH REPRESENTATIVES OF PREVENCIÓN SOCIAL. (REPORTS ON THE UNCLASSIFIED

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LATER MEETINGS WITH PREVENCIÓN SOCIAL WILL BE SUBMITTED DIRECTLY BY MR. CORTES.) MEETINGS TOOK PLACE FROM JULY 19 THROUGH JULY 28.

3. FOLLOWING WERE THE MAJOR ISSUES OF SUBSTANCE AGREED UPON BY BOTH SIDES:

(A) U.S. WILL PRE-PROCESS THE CASES FOR PAROLE PURPOSES PRIOR TO ENTRY INTO FORCE OF TREATY.

(B) USG WILL ATTEMPT TO ARRANGE FOR PRE-PROCESS IN MEXICO BY INS OF ALL RETURNING PRISONERS.

(C) U.S. WILL ARRANGE CENTRAL LOCATIONS IN U.S. WITH SPECIAL TEAMS TO PROCESS PRISONERS IN AND OUT WITH LEAST DELAY POSSIBLE.

(D) THERE WILL BE NO REPEAT NO CONCENTRATION OF PRISONERS IN ANY ONE LOCATION ON THE MEXICAN SIDE. PRISONERS WILL BE INTERVIEWED AND TRANSFERRED BY AIRCRAFT PROBABLY GOING UP EACH COAST AND ONE FROM MEXICO CITY.

4. EMBASSY HAS PREPARED AN AIDE MEMOIRE SETTING FORTH THE UNDERSTANDING OF THE U.S. REPS ON THE DISCUSSIONS WHICH TOOK PLACE ON THE MORE SUBSTANTIVE POINTS. (COPY OF AIDE MEMOIRE BEING POUCHED TO DEPARTMENT.) THE FOLLOWING ARE THE MAJOR SUBJECTS IN THE AIDE MEMOIRE, THE FINAL RESOLUTION OO WHICH WILL BE REPORTED BACK WHEN THE GOM HAS CONCURRED IN THE UNDERSTANDING:

(A) GOM WILL PREPARE A LIST OF PRISONERS REQUESTING TRANSFER. PRISONERS WITH APPEALS OR AMPAROS MAY ALSO BE INCLUDED ON LIST. ONLY THOSE PRISONERS ON THIS LIST CAN BE INTERVIEWED FOR PROCESSING PURPOSES. HOWEVER, A UNCLASSIFIED

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PRISONER WHO SIGNS GOM FORM AT THE FACILITY MAY ALSO BE INTERVIEWED. ALL PRISONERS INTERVIEWED MUST HAVE BEEN SENTENCED.

(B) ON A DATE TO BE AGREED UPON, NO EARLIER THAN SEPTEMBER 5, U.S. REPRESENTATIVES WILL VISIT PRISONERS THROUGHOUT MEXICO TO CONDUCT TRANSFER INTERVIEW. INTERVIEWS WILL BE CONDUCTED WHERE PRISONERS INCARCERATED.

(C) ATTORNEY GENERAL'S OFFICE WILL ASSIGN AN ATTORNEY TO EACH INTERVIEWING TEAM AS LEGAL CONSULTANT.

(D) COPIES OF SENTENCIAS AND COMPUTATIONS OF WORK CREDITS WILL BE MADE AVAILABLE. IF NECESSARY, EMBASSY WILL MAKE AVAILABLE CLERICAL PERSONNEL TO COPY DOCUMENTATION.

(E) AFTER EXCHANGE OF INSTRUMENTS OF RATIFICATION BUT PRIOR TO VERIFICATION PROCEEDINGS, LEGAL COUNSEL WILL BE MADE AVAILABLE TO PRISONERS.

(F) VERIFICATION PROCEEDINGS WILL BE HELD IN PRISONS.

(G) FOR EFFICIENCY, GOM WILL MOVE CERTAIN PRISONERS TO OTHER PRISONS FOR THE VERIFICATION PROCEEDINGS.

5. JUSTICE WILL PREPARE A BOOKLET OF INFORMATION FOR PRISONERS AS WELL AS INSTRUCTIONS TO CONOFFS.

6. TO GREATEST EXTENT POSSIBLE, EMBASSY REQUESTS THAT DEPARTMENT AND JUSTICE SUPPLY EMBASSY WITH PROGRESS REPORTS ON THE NUMBERS OF MEXICAN PRISONERS DESIRING TRANSFER TO MEXICO. INTERIM PROGRESS REPORTS WOULD BE HELPFUL.

7. DISCUSSION ON SUBJECTS OF LEGAL ISSUES, INCLUDING IMMIGRATION STATUS, AND ROLE OF CONSULAR OFFICER, WILL BE

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ACTION SCS-05

INFO OCT-01 ARA-14 ISO-00 JUSE-00 DHA-02 H-02 L-03
INSE-00 SCA-01 NSC-05 /033 W
-----037251 020209Z /75
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FM AMEMBASSY MEXICO
TO SECSTATE WASHDC 3927

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REPORTED SEPTELS. LUCEY

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Message Attributes

Automatic Decaptioning: X
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TAGS: CASC, PGOV, MX, US
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